

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

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| VISION BIOSYSTEMS (USA) TRADING, INC., Plaintiff, v. VENTANA MEDICAL SYSTEMS, INC., Defendant. | CIVIL ACTION NO. 03-CV-10391-GAO |
| VENTANA MEDICAL SYSTEMS, INC., Plaintiff, v. VISION BIOSYSTEMS, INC., Defendant. | CIVIL ACTION NO. 05-CV-10614-GAO |

**JOINT MOTION TO INFORM COURT ON STATUS OF SETTLEMENT
DISCUSSIONS AND REQUEST FURTHER TEMPORARY SUSPENSION OF ALL
LITIGATION DEADLINES AND EXTENSION TO FILE ALL BRIEFING RELATED
TO VISION'S MOTION FOR SUMMARY JUDGMENT OF NON-INFRINGEMENT**

The parties wish to inform the Court that they are still negotiating a final agreement to settle the present related litigations pending before this Court and believe they will reach such an agreement. To allow the parties additional time to finalize a settlement agreement, the parties jointly submit this request to further temporarily suspend all forthcoming litigation deadlines related to this action. In addition, the parties specifically request a further two (2) day extension for Ventana Medical Systems, Inc., to respond to Vision Biosystems Inc.'s Motion for Summary Judgment of Non-Infringement (D.I. 61) until August 15, 2007. In the event that the parties are not able to finalize the settlement agreement, these due dates will allow the parties to have fully briefed this issue for the Court's consideration prior to the scheduled hearing date of September 5,

2007. The parties agree to report to the Court on or before August 13, 2007 on the status of the settlement discussions and agreement and inform the Court as to whether or not all litigation deadlines related to this action should remain suspended.

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

VISION BIOSYSTEMS (USA) TRADING, INC.,

Plaintiff,

v.

VENTANA MEDICAL SYSTEMS, INC.,

Defendant.

CIVIL ACTION NO. 03-CV-10391-GAO

VENTANA MEDICAL SYSTEMS, INC.,

Plaintiff,

v.

VISION BIOSYSTEMS, INC.,

Defendant.

CIVIL ACTION NO. 05-CV-10614-GAO

[PROPOSED] ORDER

Having considered the parties' Joint Motion to Temporarily Suspend All Litigation Deadlines and Extend the Time to File All Briefing Related to Vision's Motion for Summary Judgment of Non-Infringement, the Court orders as follows:

1. All litigation deadlines related to this action are temporarily suspended.
2. Ventana Medical Systems, Inc., has until August 15, 2007 to respond to Vision Biosystems Inc.'s Motion for Summary Judgment of Non-Infringement (D.I. 61).

3. The parties are to report to the Court on or before August 13, 2007 on the status of the settlement discussions and agreement and inform the Court as to whether or not all litigation deadlines related to this action should remain suspended.

IT IS SO ORDERED.

Dated: _____

HON. GEORGE A. O'TOOLE, JR.
UNITED STATES DISTRICT JUDGE